

Policy on Tree Removal

The Bedford Conservation Commission protects trees in and around wetlands due to their many environmental benefits. Trees preserve water quality by filtering and breaking down pollution. They stabilize soils and help to control floods. And they protect wildlife. Standing dead trees (“snags”) are especially valuable as wildlife habitat and may not be removed from a wetland or a wetland buffer zone without a filing with the commission and, in some cases, a permit. Downed trees in wetlands should be left in place as removing them may disturb and degrade the wetland.

If a tree poses an **immediate safety hazard** by virtue of its condition and proximity to a house or garage, a children's play area, a vegetable or flower garden, a driveway, or a power line, a homeowner can have that tree removed without coming before the commission, provided that a Massachusetts-certified arborist examines the tree and certifies its immediate danger. A homeowner then needs only to notify the commission in writing of the intent to remove the tree and provide a photograph of the tree and a letter from the arborist testifying to the hazard. One to two dead trees may be removed without a formal filing. Dead trees proposed for removal must be documented in photographs as being dead. No machinery or equipment is allowed within wetland resource areas. An arborist's letter is not necessary in the case of a dead tree.

Alternatively, a homeowner can seek an [emergency certification](#) for the removal of an immediately dangerous tree under the Massachusetts Wetlands Protection Act. To do this, the homeowner asks a public agency, such as the Bedford Department of Public Works or the Fire Department, to declare the situation an emergency and submits the application for emergency certification to the Bedford Conservation Commission. A commission representative can then provide permission to do the work during an immediate 30-day period. However, the applicant may need to follow up on this work with an application to the Commission for full review after the fact under a [request for a determination of applicability](#) (RDA) or, possibly, a [notice of intent](#) (NOI).

If a tree does not pose an immediate safety hazard, a [request for a determination of applicability](#) (RDA) or, possibly, a [notice of intent](#) (NOI) must be filed with the commission before cutting can occur in a wetland or a buffer zone. Decisions about these removals are made on a case-by-case process.

Approval voted by the Bedford Conservation Commission on September 14, 2011

Commission confirmed January 11, 2012 that policy applies only to single trees.

Commission confirmed January 11, 2012 that two entangled trees may be treated as one tree.

Wording on after the fact filing approved on 2/27/2013.

Wording on dead tree, ¶2, approved on 12/2/2015.

Wording on dead trees, ¶2, approved on 7/20/2016.

Commission voted June 13, 2018 that policy applies to two trees.